



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,671	07/11/2001	Donald Zaff Rogers	DEP05507-RE	5452

7590 12/26/2002

Carter Ledyard & Milburn
1401 Eye Street NW
Suite 300
Washington, DC 20005

EXAMINER

NAKARANI, DHIRAJLAL S

ART UNIT	PAPER NUMBER
----------	--------------

1773

DATE MAILED: 12/26/2002

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/901,671	Applicant(s) ROGERS, DONALD ZAFF	
	Examiner D. S. Nakarani	Art Unit 1773	

--Th MAILING DATE of this communication appears on th cover sheet with the correspond nce address --

THE REPLY FILED 18 December 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

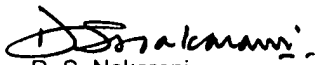
Claim(s) allowed: none.

Claim(s) objected to: none.

Claim(s) rejected: 1-39.

Claim(s) withdrawn from consideration: none.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


D. S. Nakarani
Primary Examiner
Art Unit: 1773

Continuation of 5. does NOT place the application in condition for allowance because: Both, Hettich et al and Austin, references ar directed to an optical article. Hettich et al teach selected wave lengths of light to reflect and other transmit similarly Austin teach reflection of light having length of up to 400 nm and light having wave length over 700 nm. Hettich et al do not disclose shape of glass substrate forming reflector. Austin teaches glass substrate having complex shape. Furthermore, reflectors are not necessarily flat. Th Examiner has provided motivation in the last paragraph of the Office Actions. The motivation to modify reference does not have to com from the recited references. Obviousness may be based upon a combination of prior art references where the motivation to combin is in the knowledge generally available to those skilled in the art(In re Jones, 21 USPQ 2d 1941 (Fed. Cir.)). Reference can be combined no only for what they individually suggest but also for what they, as a whole, would suggest to a person of ordinary skill in the pertinent art (In re McLaughlin, 170 USPQ 209 (CCPA 1971)). References may be combined although one of them explicitly, suggests combining one with other (In re Nilssen, 7 USPQ 2d 1500 (Fed. Cir. 1988)) .